

# In the Court of Appeals of the State of Alaska

Saye Gatei,

Appellant,

v.

Municipality of Anchorage,

Appellee.

Court of Appeals No. **A-13455**

## Order

Date of Order: **July 13, 2020**

Trial Court Case No. **3AN-17-09915CR**

On June 8, 2020, this Court ordered Attorney Igor I. Herbey to pay a fine of \$50.00 for failing to file the appellant's opening brief (or a timely motion to extend the deadline for that brief). Under the terms of the June 8 order, Mr. Herbey was to deliver this fine to the Appellate Clerk's office on or before June 23, 2020.

Because Mr. Herbey failed to pay the fine by June 23, this Court directed him to show cause why he should not be fined an additional \$100.00 for failing to pay the \$50.00 fine. Mr. Herbey's response to the June 23 order was due by July 6, 2020. It is now July 13, and while Mr. Herbey did pay the overdue \$50.00 sanction on July 6, he did not file a response to the June 23 order to show cause. The Court will consider Mr. Herbey's lack of a response as a concession of his negligence in this matter.

Accordingly, **IT IS ORDERED:**

1. For failing to timely pay the imposed \$50.00 fine, the Court concludes that Mr. Herbey shall be sanctioned an additional **\$100.00** in this appeal. Mr. Herbey shall pay the **\$100.00** fine to the Clerk of the Appellate Courts on or before **Tuesday, July 28, 2020**. If Mr. Herbey continues to violate the Appellate Rules, or this Court's notices or orders, the matter will be referred to bar counsel at the Alaska Bar Association.

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2. The Appellate Clerk's Office is directed to provide a copy of this order to the Denali Law Group.

Entered at the direction of Chief Judge Allard.

Clerk of the Appellate Courts



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Ryan Montgomery-Sythe,  
Chief Deputy Clerk

cc: Denali Law Group

Distribution:

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